

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**ERICSSON INC., et al.,**

**Plaintiffs,**

**vs.**

**D-LINK CORPORATION, et al.,**

**D-Links.**

**Civil Action No. 6:10-cv-473**

**JURY TRIAL DEMANDED**

**JOINT SUBMISSION OF PROPOSED JURY MATERIALS**

Pursuant to this Court's Docket Control Order, Plaintiffs Ericsson Inc. and Telefonaktiebolaget LM Ericsson, (collectively "Ericsson" or "Plaintiff") and all Defendants, D-Link Systems, Inc. ("D-Link"), NETGEAR, Inc. ("Netgear"), Acer, Inc., Acer America Corporation, Gateway, Inc. (together "Acer"), Dell Inc. ("Dell"), Toshiba America Information Systems, Inc., Toshiba Corporation ("Toshiba"), and Belkin International, Inc. ("Belkin"), and Intervenor Intel Corporation ("Intel") (collectively "Defendants") hereby submit the following proposed jury materials:

Attached as Exhibit A hereto are the parties' Joint Proposed Jury Instructions.

Attached as Exhibit B hereto is Ericsson's proposed verdict form.

Attached as Exhibit C hereto is Defendants' proposed verdict form.

The parties reserve the right to amend, supplement, or modify these proposed jury materials as the case proceeds toward the final pretrial conference and trial, and as the parties continue to meet and confer regarding these materials. Additionally, the parties do not waive any

objections to issues that are the subject of pending or anticipated motions, including *Daubert* motions, motions for summary judgment, and motions *in limine*.

DATED: May 20, 2013

Respectfully submitted,

By: /s/ Theodore Stevenson III

**Attorneys for Plaintiff Ericsson Inc. and  
Telefonaktiebolaget LM Ericsson:**

Theodore Stevenson III (*Lead Attorney*)

Texas State Bar No. 19196650

tstevenson@mckoolsmith.com

Douglas A. Cawley

Texas State Bar No. 04035500

dcawley@mckoolsmith.com

Ashley N. Moore

Texas State Bar No. 24074748

amoore@mckoolsmith.com

Justin T. Nemunaitis

Texas State Bar No. 24065815

jnemunaitis@mckoolsmith.com

Holly E. Engelmann

Texas State Bar No.

hengelmann@mckoolsmith.com

Jason A. Blackstone

jblackstone@mckoolsmith.com

Ryan A. Hargrave

Texas State Bar No.

rhargrave@mckoolsmith.com

**McKOOL SMITH, P.C.**

300 Crescent Court, Suite 1500

Dallas, Texas 75201

Telephone: (214) 978-4000

Telecopier: (214) 978-4044

Samuel F. Baxter

Texas State Bar No. 01938000

sbaxter@mckoolsmith.com

**McKOOL SMITH, P.C.**

104 E. Houston Street, Suite 300

P.O. Box 0

Marshall, Texas 75670

Telephone: (903) 923-9000  
Facsimile: (903) 923-9099

Kevin L. Burgess  
kburgess@mckoolsmith.com  
**McKOOL SMITH, P.C.**  
300 W 6th St  
Suite 1700  
Austin, TX 78701

Brandon M. Jordan  
bjordan@mckoolsmith.com  
**McKOOL SMITH, P.C.**  
1999 K St. NW  
Suite 600  
Washington, DC 20006

**Attorneys for Defendants Intel  
Corporation:**

Robert M. Parker (State Bar No. 15498000)  
Robert Christopher Bunt (State Bar No.  
00787165)  
Charles Ainsworth (State Bar No.  
00783521)  
Andrew T. Gorham (State Bar No.  
24012715)  
**PARKER, BUNT & AINSWORTH, P.C.**  
100 E. Ferguson, Suite 1114  
Tyler, Texas 75702  
903/531-3535  
903/533-9687 - Facsimile  
E-mail: rmparker@pbatyler.com  
E-mail: rcbunt@pbatyler.com  
E-mail: charley@pbatyler.com  
E-mail: tgorham@pbatyler.com

Michael E. Jones (State Bar No: 10929400)  
**POTTER MINTON, PC**  
110 North College  
Suite 500  
Tyler, Texas 75702  
Tel: 903-597-8311  
Fax: 903-593-0846  
mikejones@potterminton.com

Adam Alper  
adam.alper@kirkland.com  
Sarah Piepmeier  
Sarah.piepmeier@kirkland.com  
**KIRKLAND & ELLIS LLP**  
555 California Street  
San Francisco, CA 94104  
Tel: (415) 439-1876  
Fax: (415) 439-1500

Luke Dauchot  
luke.dauchot@kirkland.com  
Michael De Vries  
michael.devries@kirkland.com  
Tim Majors  
Tim.majors@kirkland.com  
**KIRKLAND & ELLIS LLP**  
333 South Hope Street  
Los Angeles, CA 90071  
Tel: 213-680-8400  
Fax: 213-680-8500

Gregory S. Arovas  
Greg.arovas@kirkland.com  
Oliver C. Bennett  
oliver.bennett@kirkland.com  
**KIRKLAND & ELLIS LLP**  
601 Lexington Ave  
New York, NY 10022  
Tel: 212-446-4800  
Fax: 212-446-4900

**Attorneys for Defendants D-LINK  
Systems, Inc., NETGEAR, Inc., Acer,  
Inc., Acer America Corporation, and  
Gateway, Inc.:**

Scott D. Baker, Pro Hac Vice (Cal. SBN  
84923)  
John P. Bovich, Pro Hac Vice (Cal. SBN  
150688)  
Christine M. Morgan, Pro Hac Vice (Cal.  
SBN 169350)

Jonah D. Mitchell, Pro Hac Vice (Cal. SBN 203511)

James A. Daire, Pro Hac Vice (Cal. SBN 239637)

Seth B. Herring, Pro Hac Vice (Cal. SBN 253907)

REED SMITH LLP

101 Second Street, Suite 1800

San Francisco, CA 94105

Telephone: +1 415 543 8700

Facsimile: +1 415 391 8269

Email: sbaker@reedsmith.com

Email: jbovich@reedsmith.com

Email: cmorgan@reedsmith.com

Email: jmitchell@reedsmith.com

Email: jdaire@reedsmith.com

Email: sherring@reedsmith.com

Robert A. Van Nest (Pro Hac Vice)

rvannest@kvn.com

Eugene M. Paige (Pro Hac Vice)

emp@kvn.com

Matan Shacham (Pro Hac Vice)

mshacham@kvn.com

**KEKER & VAN NEST LLP**

633 Sansome Street

San Francisco, CA 94111

Tel. 415.391.5400

Fax. 415.397.7188

Trey Yarbrough (Bar No. 22133500)

Debby E. Gunter (Bar No. 24012752)

**YARBROUGH WILCOX GUNTER,  
PLLC**

100 E. Ferguson, Ste. 1015

Tyler, Texas 75702

Telephone: +1 903 595 3111

Facsimile: +1 903 595 0191

Email: trey@yw-lawfirm.com

Email: debby@yw-lawfirm.com

**Attorneys for Defendants D-LINK  
Systems, Inc.:**

S.J. Christine Yang (admitted pro hac vice)  
Duncan Palmatier (admitted pro hac vice)  
Victoria Hao (admitted pro hac vice)

**THE LAW OFFICES OF S.J.  
CHRISTINE YANG**

17220 Newhope Street, Suite 101  
Fountain Valley, California 92708  
Tel: (714) 641-4022; Fax: (714) 641-2082  
Email: cyang@sjclawpc.com  
Email: dpalm@dpalmlaw.com  
Email: vhao@sjclawpc.com

**Attorneys for Defendant Dell Inc.:**

Michael J. Newton (Texas Bar No. 24003844)  
Jason W. Cook (Texas Bar No. 24028537)  
Dwayne C. Norton (Texas Bar No. 24076139)  
Shaun W. Hassett (Texas Bar No. 24074372)  
Brady Cox (Texas Bar No. 24074084)

**ALSTON & BIRD LLP**

2828 North Harwood St, Suite 1800  
Dallas, TX 75201  
Phone: (214) 922-3400  
Fax: (214) 922-3899  
Email: mike.newton@alston.com  
Email: jason.cook@alston.com  
Email: stacey.white@alston.com  
Email: dwayne.norton@alston.com  
Email: shaun.hassett@alston.com  
Email: brady.cox@alston.com

Marsha E. Mullin (California Bar No. 93709)

**ALSTON & BIRD LLP**

333 South Hope Street, 16th Floor  
Los Angeles, CA 90071  
Phone: (213) 576-1000  
Fax: (213) 576-1100  
Email: marsha.mullin@alston.com

Frank G. Smith (Georgia Bar No. 657550)  
Kamran Jivani (Georgia Bar No. 510908)

**ALSTON & BIRD LLP**

1201 West Peachtree Street  
Atlanta, GA 30309

Phone: (404) 881-7000

Fax: (404) 881-7777

Email: frank.smith@alston.com

Email: kamran.jivani@alston.com

Deron R. Dacus (Texas Bar No. 00790553)

**THE DACUS FIRM, P.C.**

821 ESE Loop 323, Suite 430

Tyler, TX 75701

Phone: (903) 705-1117

Fax: (903) 581-2543

Email: ddacus@dacusfirm.com

**Attorneys for Defendants Toshiba  
Corporation and Toshiba American  
Information Systems, Inc.:**

John Feldhaus

Pavan Agarwal

Andrew R. Cheslock

**FOLEY & LARDNER LLP**

3000 K. Street, NW, Suite 500

Washington, DC 20007

PH: (202) 672-5300

Fax: (202) 672-5399

Email: jfeldhaus@foley.com

Email: pagarwal@foley.com

Email: acheslock@foley.com

Kevin J. Malaney

**FOLEY & LARDNER LLP**

777 E. Wisconsin Avenue

Milwaukee, WI 53202

PH: (414) 319-7067

Email: kmalaney@foley.com

Guy N. Harrison

Attorney at Law

217 N. Center

Longview, TX 75606

PH: (903) 758-7361

Fax: (903) 753-9557

Email: guy@gnhlaw.com

**Attorneys for Defendants Belkin  
International, Inc.:**

Ryan K. Yagura (Bar No. 24075933)

Vision Winter (Pro Hac Vice)

Eric Chan (Pro Hac Vice)

**O'MELVENY & MYERS LLP**

400 South Hope Street

Los Angeles, California 90071-2899

Telephone: (213) 430-6000

Facsimile: (213) 430-6407



**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who have consented to electronic service on Monday, May 20, 2013. Local Rule CV-53(a)(3)(A).

/s/ Brandon M. Jordan  
Brandon M. Jordan